

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

MONSANTO COMPANY

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:00CV161-P-D

MITCHELL SCRUGGS, et al

DEFENDANTS

ORDER

This cause is before the Court on the plaintiff's Motion in Limine No. 7 [722]. The Court, having reviewed the motion, the response, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

Monsanto seeks entry of an order precluding defendants, their witnesses, experts and attorneys from making any reference to God or any other public or historical figure's purported opinion regarding Monsanto's no replant policy or that a "God-given right" exists to save crop seed. In so moving, Monsanto seeks to preclude "arguments or evidence that the replanting of second generation seed containing Monsanto's patented biotechnology is somehow "authorized" by divine law or that defendants' conduct was authorized by historical practices. Defendants' response in opposition to said motion disavows any such intent, instead maintains that references of the sort addressed by the present motion may be admissible as probative evidence of defendants' state of mind—a use to which Monsanto does not, at present, object. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the plaintiff's Motion in Limine No. 7 [722] is well-taken and should be, and hereby is, GRANTED, except insofar as may be relevant for purposes of establishing defendants' state of mind.

SO ORDERED, this the 27th day of August, 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE